

FOR THE DISTRICT OF DELAWARE

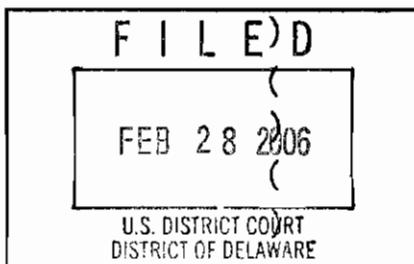
MONTY C PEPPER

plaintiff

)

(

v  
THOMAS CARROLL  
BAMBI THOMAS  
JAMES GARDELS  
THOMAS SEACORD



C.A. No 05-084 JJF

Plaintiff reply To Defendants objection To Plaintiff motion for Temporary Restraining order without notice and for Preliminary injunction and notice of Emergency injunction and summary judgement or relief.

Plaintiff request The "with draw" of (DI 12) "Temporary Restraining order with out notice"

Plaintiff request a continuance as to (DI 8) where due to denial of access to law library and the acts of Mr. Ed Johnson did cause prejudice and Plaintiff can not copy or research to supply the court with evidence which Plaintiff possess and copy to conform to Local Federal District Court Rules. The following explanation is supplied to the court. affidavit and explanation

February 24 2006

Monty C Pepper  
1181 Paddock Rd  
Smyrna DE 19972

State of Delaware )  
County of New Castle ) SS.

Affidavit of: Monty Pepper  
Dated: Feb 23 2006

## AFFIDAVIT

I, Monty Pepper, being first duly sworn deposes and says that the foregoing statement is a true and correct observation of what occurred on the above date herein at/in Law Library located in the Delaware Correctional Center, Smyrna, Delaware, in that I was a part of or witnessed the incident described herein. I would clearly state under penalty of perjury of the laws of the State of Delaware.

IT is 12:15 I requested additional Time To assure The Defendants Objection To Plaintiffs motion for Temporary Restraining order without notice and for Preliminary Injunction ~~with~~ and Notice of emergency Motion injunction and/or summary Judgement or Relief which I received on Feb 19 2006 giving That Plaintiff has only 5 days To assure where monday was a holaday Tuesday had regular appointment. Wednesday Plaintiff had doctor appointment Thursday was given extra time in AM morning could not attend due to doctor appointment Though made regular appointment Plaintiff requesting additional Time on Friday The dead line Plaintiff was "refused" where Copy's can not be made a response can only be sent to court I was refused Time by Mr Johnson, and refused Copy's of a generic opening Page as required By Rule 5.3 and Threaten to kick me out

Affiant

Monty Pepper  
Signature

Print Name

Delaware Correctional Center  
Smyrna, Delaware 19977SWORN TO AND SUBSCRIBED before me this 23 day of Feb, 2006

My Commission Expires:

Edward Johnson  
Notary Public

LETTER TO THE COURT

AFFIDAVIT

Plaintiff as to the following redacted reply

As a inmate incarcerated in Delaware Correctional Center and as put forth in (DI 28) Writ of Mandamus that The Court considered a Motion for Permanent Injunction (DI 28)

Where on Thursday February 23 2006 Plaintiff requested Law Library Time on Friday the 24 2006 to complete and copy and send to the court

The Plaintiff was told "no" by Ed Johnson who is in charge of law library while leaving on Thursday 2:20 pm Mr Ed Johnson calls the Plaintiff back as says "If you trying to intimidate me I'll press street charges on you, you not getting extra time."

Plaintiff had said nothing to Mr Ed Johnson and this was witnessed by four other inmates. This the Plaintiff considers a threat were Mr Johnson can lie just as defendants have and Plaintiff has no recourse where inmates are not believed and there are no video and audio taped cameras in D.C.C. for the safety of inmates from abuse such as this.

This morning at 9:30 or about Mr Ed Johnson

calls over to Plaintiff's bulding to allow the Plaintiff time even though he denied this the day before and also on Tuesday where Plaintiff asked for Friday Mr Ed Johnson said "you don't tell me when you can come I'll tell you"

The Plaintiff had gone to Medical for a dental where it was rescheduled and if Mr Ed Johnson had given the Plaintiff an appointment, the Medical could had easily been rescheduled. When Plaintiff returned at 11:00 "code green" he was told Johnson had called but it was to late to go (Sgt DeDo)

Mr Johnson like this dose this to all inmates he knew Tuesday 21 of the dead line Plaintiff on Thursday made a affidavit at 12:15 when he was refused access inclosed. And put a letter in to Mike Littel and a grievance last night Feb 23 2006 have copy's

The Local Federal Rules were only made known to the Plaintiff last week. Only Book 1 All Fed Rules were given to Plaintiff yet Plaintiff asked for District Court Rules. There is a systematic attempt to restrict inmates from attacking and presenting cases were even exhibits cannot be copied separate

Plaint states all statements made here in this affidavit are true

February 24 2006

  
Monty Pepper

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SERVICES POSN  
2005-02-28

02 14  
00046897  
MAILED FROM



IM MM Pepper  
SBI# 156920 UNIT DW  
DELAWARE CORRECTIONAL CENTER  
1181 PADDOCK ROAD  
SMYRNA, DELAWARE 19977

Office of The Clerk

United States District Court

8441 King Street Box 18  
Wilmington Del

19801

U.S. MAIL  
J.S.R.